

Remarks/Arguments:

Reconsideration of this application in light of the above amendments is courteously solicited.

Applicant has amended the specification making the corrections as required by the Examiner in Paragraph 2 of his office action.

With regard to the drawing corrections, Applicant submits herewith a new Figure 2 and a new Figure 3 for the Examiner's approval. It is submitted that the specification and the drawings are now consistent vis-à-vis reference numerals.

Claims 1-15 as originally filed have been cancelled thereby rendering moot the claim objections and rejections set forth in Paragraphs 5-7 of the Examiner's office action.

The previously submitted claims were rejected under 35 USC 103 as being unpatentable over Gorria et al. in view of Gillard et al. As to how this rejection applies to the claims as amended herein, it is respectfully traversed.

New independent claim 16 sets forth with specificity the method of the present invention for determining the acceptability of a workpiece. In accordance with the method of the present invention, the method records the same area of the workpiece at different time intervals to record a change in the dye distribution over time. Thus the method makes recordings of the same area of the workpiece over time and records these changes in order to determine and differentiate between artifacts and real cracks. In this regard the Examiner's attention is drawn to the paragraph bridging pages 3 and 4 of the original English specification.

The cited prior art references do not teach the method as set forth in claim 16. The primary reference to Gorria teaches the evaluation of surface defects by making recordings of different areas of the same workpiece at different times as it is moving past a camera. There is no teaching or suggestion of making recordings of the same area of the workpiece over time, Gorria evaluates only elongated objects and a single work area at a single time. Gorria does not employ the use of a food dye in the manner claimed. Contrary to Gorria teachings, the invention records the same area of the same workpiece at different times so as to record the change of the developing fluid distribution with time. No such teaching can be found in Gorria.

The secondary reference to Gillard is likewise deficient. Gillard teaches a fluorescent crack detection. Again, there is no suggestion in the Gillard reference of recording different images of the same area over time as is taught in the method of the present invention.

In light of the foregoing, it is respectfully submitted that new claims 16-21 as presented patentably define over the art of record and an early indication of same is respectfully requested.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the

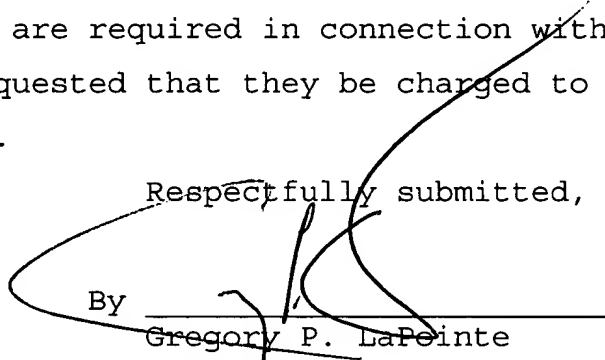
Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any additional fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

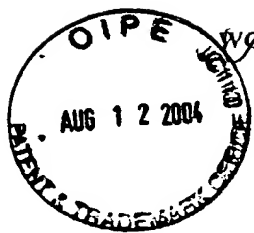
By


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Date: August 10, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on August 10, 2004.


Lori J. Larson

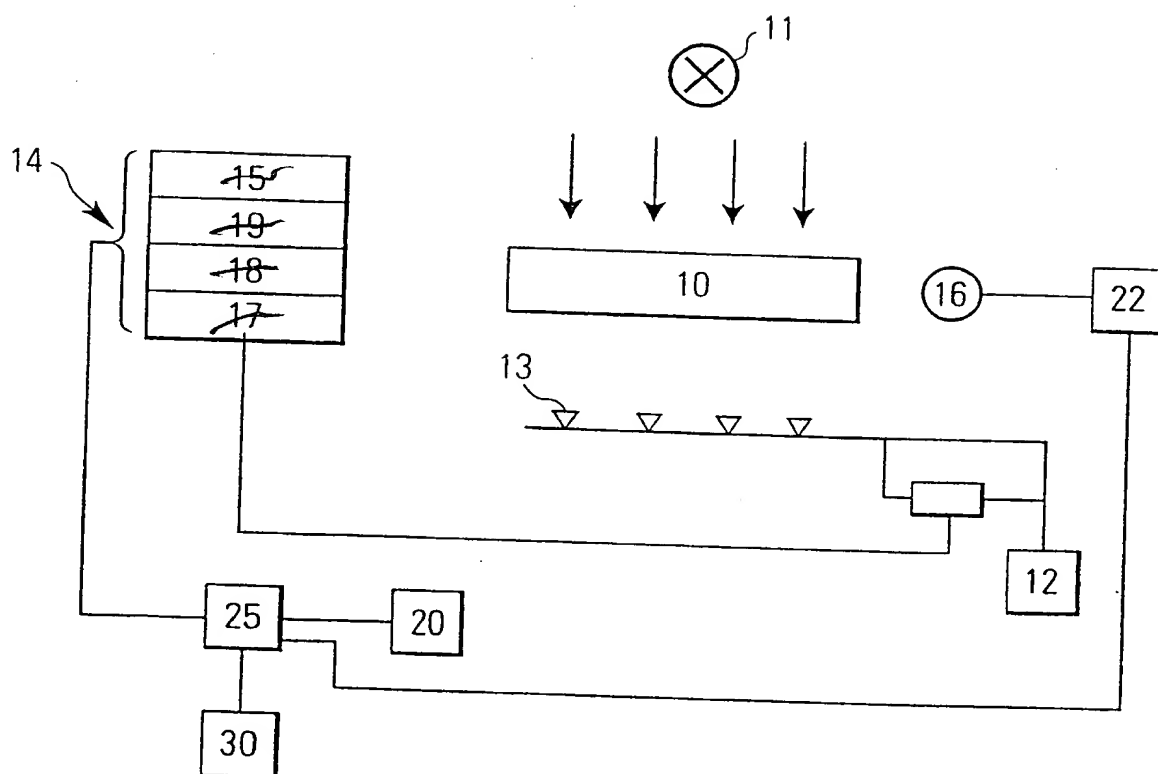


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FIG. 2



~~ERSATZBLATT (REGEL 26)~~



FIG.3

